

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
LYNCHBURG DIVISION

CLERK'S OFFICE U.S. DIST. COURT  
AT LYNCHBURG, VA  
FILED

SEP 13 2005

JOHN F. CORCORAN, CLERK  
BY: *[Signature]*  
DEPUTY CLERK

CLYDE T. MAYBERRY,

*Plaintiff,*

v.

MIKE JOHANNNS, SECRETARY OF  
AGRICULTURE, ET AL.,

*Defendants.*

CIVIL ACTION No. 6:05-CV-00012

ORDER

JUDGE NORMAN K. MOON

For the reasons stated in the accompanying Memorandum Opinion, it is hereby

**ADJUDGED and ORDERED**

as follows:

(1) Plaintiff's Motions for a Court Determination of Jury Trial Demand, docket numbers 10 and 19, are hereby DENIED.

(2) Plaintiff's Motion for Court Determination of Civil Rights Violation of Plaintiff in a Non-Judicial Foreclosure, docket number 16, is hereby DENIED.

(3) Defendant's Motion for Summary Judgment, docket number 17, is hereby GRANTED.

(4) Plaintiff's Motion to Deny Defendants' Request for Summary Judgment, docket number 20, is hereby DENIED.

Accordingly, this matter is hereby DISMISSED.

It is so ORDERED.

The Clerk is hereby directed to STRIKE this case from the docket, and is further directed to send a copy of this Order and accompanying Memorandum Opinion to all counsel of record.

ENTERED: *Norm H. Olson*  
U.S. District Judge  
*Sept. 13, 2005*  
Date